

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Jacob Langsam
Plaintiff,

Plaintiff's Answer to
Defendant, Midland Credit
Management, Inc.'s
Counterclaim

vs.

Midland Credit Management INC.
Defendant

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Plaintiff, Jacob Langsam, by and through his undersigned counsel, Law Office of Shmuel Klein, as and for his Answer to Defendant, Midland Credit Management, Inc.'s Counterclaim against Plaintiff, respectfully alleges as follows:

1. Plaintiff denies all allegations that he owes defendant Midland Credit Management the sum of \$7,520.78 plus interest.

FIRST AFFIRMATIVE DEFENSE

2. Plaintiff has repeatedly disputed the debt and Defendant Midland Credit Management failed to validate the debt, continuing its collection efforts and making false statements by misrepresenting the amount, character and legal status of the debt, in violation of the FDCPA, 1692e(2) and 1692e(8).

SECOND AFFIRMATIVE DEFENSE

3. Defendant, Midland Credit Management violated 15 U.S.C. 1692g(b) by attempting to collect a debt from plaintiff when they knew, or should have known, that they had no legal authority to do so.

THIRD AFFIRMATIVE DEFENSE

4. Defendant, Midland Credit Management violated the Fair Credit Reporting Act (“FCRA”) by reporting a disputed debt to credit reporting agencies, and failing to inform the credit bureaus that the debt was disputed.

WHEREFORE, Plaintiff respectfully prays that judgment be entered against Defendant granting relief to Plaintiff and dismissing the Defendant’s Counterclaim against Plaintiff, and for such other relief as this Court deems just and proper.

DATED: August 15, 2007

Spring Valley, NY

_____/s/_____
Shmuel Klein (SK 7212) Fed Court Only
Law Office of Shmuel Klein, PC
Attorneys for Plaintiff
268 ROUTE 59
Spring Valley, NY 10977
(845) 425-2510

CERTIFICATE OF SERVICE

I, Shmuel Klein, an attorney admitted to practice before this Court affirms under the penalties of perjury that I am not a party to this action and that I am over the age of 18 years old. I have offices located at 268 Route 59, Spring Valley, NY and I served the within PLAINTIFF's ANSWER to DEFENDANT'S COUNTERCLAIM on August 15, 2007 by mailing a copy thereof to:

Thomas E. Healy
Pino & Associates, LLP
Westchester Financial Center
50 Main Street
White Plains, NY 10606

/s/
Shmuel Klein